

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
MONDAY, MARCH 14, 2005
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Temporary Rule for Noticing and Conduct of Closed Session Meetings, adopted on March 29, 2004, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. **Please see the regular meeting Open Session Agenda to determine when such matters may be heard.**

The City Council will meet in Closed Session immediately following the conclusion of the regular open session meeting on Monday, March 14, 2005, and may continue into Tuesday, March 15, 2005.

Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

CS-1 *Hanson, et al. v. City of San Diego*
San Diego Superior Court No. GIC 818885

DCA assigned: Brodie

This matter involves a personal injury case resulting from a traffic accident at Imperial Avenue and Viewcrest Drive on October 6, 2002, in the City of San Diego. The City Attorney requests that the Mayor and City Council consider a possible settlement of the case in closed session.

CS-2 *San Diego Unified Port District, et al. v. ExxonMobil Oil Corp./ExxonMobil Oil Corp. v. Campbell Industries, et al.*
U.S. District Court Case No. 03CV1053-BTM

ACA assigned: Girard

This matter involves a CERCLA action brought against ExxonMobil for environmental cleanup of the former Campbell Industries site near the San Diego Convention Center. The City has been named in a cross action for contribution by ExxonMobil, based upon the City's former control or ownership interest in the property, however the City is indemnified in the action by the San Diego Unified Port District pursuant to a Joint Powers Agreement. In closed session, the City Attorney will advise the City Council on the status of the matter and request appropriate direction.

CS-3 *City of San Diego v. PCL Civil Constructors, Inc.*
San Diego Superior Court GIC 817014

DCA assigned: McGuinness

This case involves a claim of defective workmanship in the construction of the Rose Canyon Trunk Sewer Project. In closed session, the City Attorney will brief the Mayor and City Council on the matter and discuss possible settlement.

Conference with Labor Negotiator, pursuant to Government Code section 54957.6:

CS-4 Agency negotiators: **Lamont Ewell, Cathy Lexin, Mike McGhee**

Employee organizations: Municipal Employees Association, Local 127
AFSME, AFL-CIO, Local 145 International Association of
Firefighters AFL-CIO, San Diego Police Officers
Association

Public employment, pursuant to California Government Code section 54957(b)(1):

CS-5 Title: City Manager

CS-6 Title: City Clerk